

REMARKS

In response to the Decision on Appeal (No. 2002-0188) from the Board dated **February 26, 2003** regarding the above-captioned patent application, Appellants hereby submit an appropriate amendment of claims 1 and 3 and/or a showing of facts under 37 CFR §1.196(b)(1) in view of the new grounds of rejection of claims 1 - 13 under 35 U.S.C. §112, second paragraph, entered by the Board in the Decision of February 26, 2003.

Reversal of 35 U.S.C. §103 Rejection:

Appellants gratefully acknowledge the Board's reversal of the obviousness rejections under 35 U.S.C. §103 of claims 1 - 3, 6 - 8, 11 and 12 over Kojima, Ono, and Kitazawa and of claims 4, 5, 9, 10 and 13 over Kojima, Ono, Kitazawa and Sakaue.

New Grounds Of Rejection Under 35 U.S.C. §112, Second Paragraph:

Claims 1 through 13 are rejected under 35 U.S.C. §112, second paragraph for being indefinite.

This rejection is respectfully traversed.

More specifically, according to the Board:

the claims are indefinite because it is unclear how the base can simultaneously have an exposed upper surface and also a multi-purpose tray "on the exposed upper surface." Furthermore, we cannot determine what in the disclosure corresponds to the base and to the exposed upper surface thereof nor the relative locations of the multi-purpose tray and the upper surface of the base.¹

That is, as discussed on pages 4 and 5 of the decision, the Board finds that the claim language regarding *a multi-purpose tray provided on said exposed upper surface of said base* to be confusing, since as the Board reasons "once the multi-purpose tray is provided on the upper surface; the surface is no longer exposed."² (Emphasis added).

As such, appellants respectfully submit that each of the independent claim 1 and 6 has been appropriately amended to delete such term "exposed" from these claims. In addition, in each of these independent claims 1 and 6 the language "provided on" has been changed to -formed on- based on the explicit support found in lines 17 - 18, page 8 of the present specification.

In addition, the specification and figures 1 - 4 have each been amended to provide clarity by designating the base of the device main body or image recording device by reference character 1c and the upper surface of the base of the main body by reference character 1d, as required by the Board.

¹Please see, lines 7 - 13, page 6 of the Board's Decision.

²Please see, lines 16 - 17, page 4 of the Decision.

Thus, it is respectfully submitted that the features of claims 1 and 6, as amended, concerning *a base having an upper surface; and a multi-purpose tray formed on said upper surface of said base* are clear and definite in view of the specification and Figures 1 - 4.

For example, Figure 4 now clearly show that a main body 1 of the image recording device includes a base 1c which has an upper surface 1d, and a multi-purpose tray 6 is formed on the upper surface 1d of the base 1c.

Accordingly, withdrawal of the new grounds of rejection of claims 1 through 13 under 35 U.S.C. §112, second paragraph, is respectfully requested. Thus, it is respectfully requested that the Examiner allow these claims, along with the entire application, to issue.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

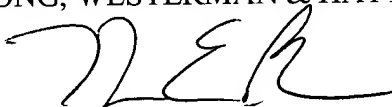
AMENDMENT UNDER 37 CFR §1.196(b)(1)
Appeal No. 2002-0188

U.S. Patent Application Serial No. 08/942,415

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version with markings to show changes made
Request for Approval of Drawing Corrections

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IN THE SPECIFICATION

The paragraph beginning at line 9 of page 5 of the specification has been amended to read as follows:

Referring to Figure 1, the image recording device of the present invention is equipped with both facsimile functions and copier functions. An operation panel 2 is provided on the front surface of a device main body 1 and the user performs copying and image data transmission operations by operating necessary keys on the operation panel 2. A recorded paper discharge tray 3, document sheet supply tray 4, document sheet outlet tray 5 and multi-purpose tray 6 which will be described later are positioned on the device main body 1. Furthermore, as best shown in Figure 2, a cassette unit 7 is mounted on base 1c of the device main body 1. The cassette unit 7 is removable from the device main body 1. As illustrated in Figure 1, the transport direction of the document and recording sheets coincides with the width direction of the device main body 1 as indicated by the unshaded arrows. In other words, a user manipulating the image recording device stands in front of the operation panel 2 and the document and recording sheets move transversely in front of the user. Each of the trays 3, 4 and 5 also extends in the width direction of the device and are substantially confined in the width of the device main body 1. Therefore, there is no interference of these trays with the operation panel 2 and user operating this. Since the trays 3, 4 and 5 do not project substantially from the side of the device main body 1, this device can save the space.

The paragraph on lines 17 - 28 of page 8 of the specification has been amended to read as follows:

The multi-purpose tray 6 is formed on the upper surface 1d of the base 1c of the main body 1. As shown in Figures 1 and 3, the cassette unit 7 below the base 1c of the device main body 1 includes a paper cassette 7a for storing the recording sheets and a unit body or housing 7b for receiving the paper cassette 7a. Standard paper may be contained in large volume in the paper supply cassette 7a but in the case of the image recording device of the present invention, a large amount of paper may also be stacked in the multi-purpose tray 6 and furthermore opening/closing (attachment/removal) operations of the tray 6 are unnecessary. Therefore, the present invention is compatible with only using the multi-purpose tray 6 without the cassette unit 7.

The paragraph on lines 1 - 18 of page 9 of the specification has been amended to read as follows:

Hereafter, the arrangement of the cassette unit 7 will be described using Figures 2, 3 and 5. Referring first to Figure 3, a push-up plate 26 is arranged in the paper cassette 7a. This plate 26 is biased from below by a spring at its one end (let end in Figure 3 or the end on the paper outlet side) with the opposite end being a rotation pivot. A pair of pick-up rollers 27 and a pair of paper feed rollers 28 are supported in the cassette unit body 7b. The pick-up rollers 27 are arranged above the spring-supported end of the paper push-up plate 26 when containing the paper cassette 7a, and the paper feed rollers 28 are situated downstream in the paper transport direction.

As best seen in Figure 5, a gear system G is arranged between the pick-up rollers 27 and supply paper rollers 28 and that gear system G engages with another gear system of inside the device main body 1 when the cassette unit 7 is attached to the base 1c of the image recording device (main body 1) as shown in Figure 1. A drive torque is transmitted from the device main body 1 to the supply paper rollers 28 and pick-up rollers 27.

The paragraph starting on line 19 of page 9 of the specification has been amended to read as follows:

Yet further, a stopping means (electromagnetic solenoid or the like: not shown) for the pick-up roller 27 and a supply paper direction means (sensor: not shown) are arranged in the cassette unit 7 as a supply paper control means for the recording sheet from the paper supply cassette 7a. Each of the pick-up rollers 27 is controlled so as to rotate 360 degrees and stop per one page of recording sheet. A power source connector 29 is provided for these stopping means and supply paper detection means. By mounting the cassette unit 7 on the lower surface of the base 1c of the image recording device as shown in Figure 1, the power source connector 29 is made to automatically connect with a connector (not shown) attached to the device main body 1 of the image recording device.

The paragraph on lines 5 - 14 of page 10 of the specification has been amended to read as follows:

When the cassette unit 7 is mounted on the base 1c of the image recording device, the paper supply cassette 7a is drawable/insertable from the front side of the device main body 1 as indicate by the phantom line and double arrow in Figure 1, in short, from the same side as the operational panel 2. Accordingly, the user performing the operations of the image recording device at the operation panel 2 is able to perform removal operations of the paper supply cassette 7a without moving (or changing his or her position) when the recording sheets are to be supplemented to the cassette 7a.

IN THE CLAIMS

Amend claims 1 and 6 to read as follows:

1. (Four Times Amended) An image recording device having a top, a bottom and a width, comprising:
 - a main body including:
 - a recorded paper discharge tray provided at the top of the image recording device;
 - a document sheet supply tray provided below the recorded paper discharge tray for holding a document sheet;
 - a document sheet outlet tray provided below the document sheet supply tray for receiving the document sheet;
 - a base having an ~~exposed~~ upper surface; and

a multi-purpose tray ~~provided~~ formed on said ~~exposed~~ upper surface of said base and below the document sheet outlet tray for holding recording sheets, wherein a user loads said recording sheets directly onto said multi-purpose tray;

a recording sheet supply part provided below said main body and independent of said multi-purpose tray for holding a plurality of stacked recording sheets and supplying a recording sheet one page at a time, said recording sheet supply part includes a paper cassette which is attachable to and detachable from said image recording device, said paper cassette capable of being manually loaded;

an image scanner that transports the document sheet from the document sheet supply tray, scans an image on the document sheet and discharges the document sheet onto the document sheet outlet tray; and

a recording part that transports the recording sheet from the recording sheet supply part or the multi-purpose tray, records an image on the recording sheet and discharges the recording sheet onto the recorded paper discharge tray, with the recorded paper discharge tray, the document sheet supply tray, the documents sheet outlet tray and the multi-purpose tray being confined within the width of the image recording device.

6. (Three Times Amended) An image recording device having a top, a bottom and a width, comprising:

a main body including:

a recorded paper discharge tray provided at the top of the image recording device;

a document sheet supply tray provided below the recorded paper discharge for holding a document sheet;

a document sheet outlet tray provided below the document sheet supply tray for receiving the document sheet;

a base having an ~~exposed~~ upper surface; and

a multi-purpose tray ~~provided~~ formed on said ~~exposed~~ upper surface of said base and below the document sheet outlet tray for holding at least one recording sheet and supplying a recording sheet one page at a time;

an image scanner that transports the document sheet from the document sheet supply tray, scans an image on the document sheet and discharges the document sheet onto the document sheet outlet tray; and

a recording part that transports the recording sheet from the multi-purpose tray, recording an image on the recording sheet and discharges the recording paper discharge tray, the document sheet supply tray, the document sheet outlet tray and the multi-purpose tray being confined within the width of the image recording device.

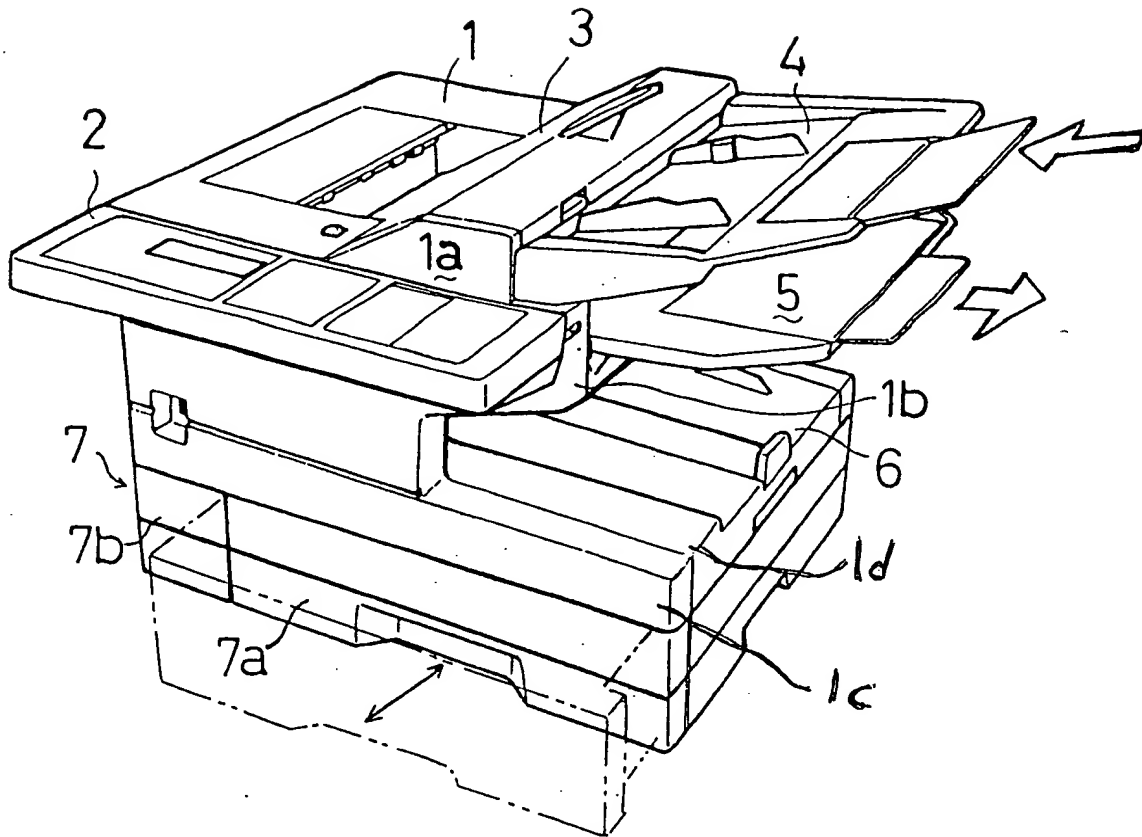
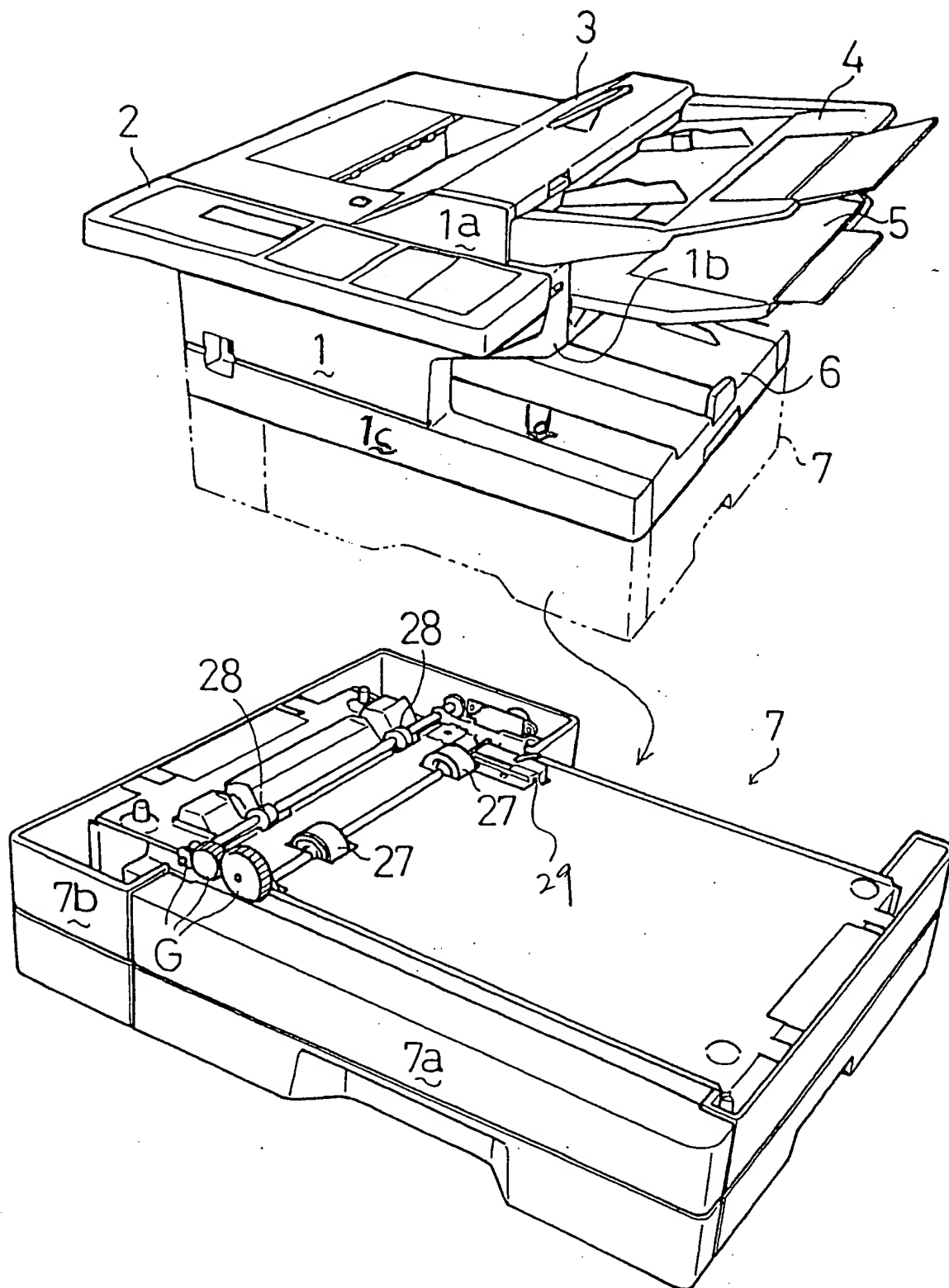


FIG. 1

FIG. 2



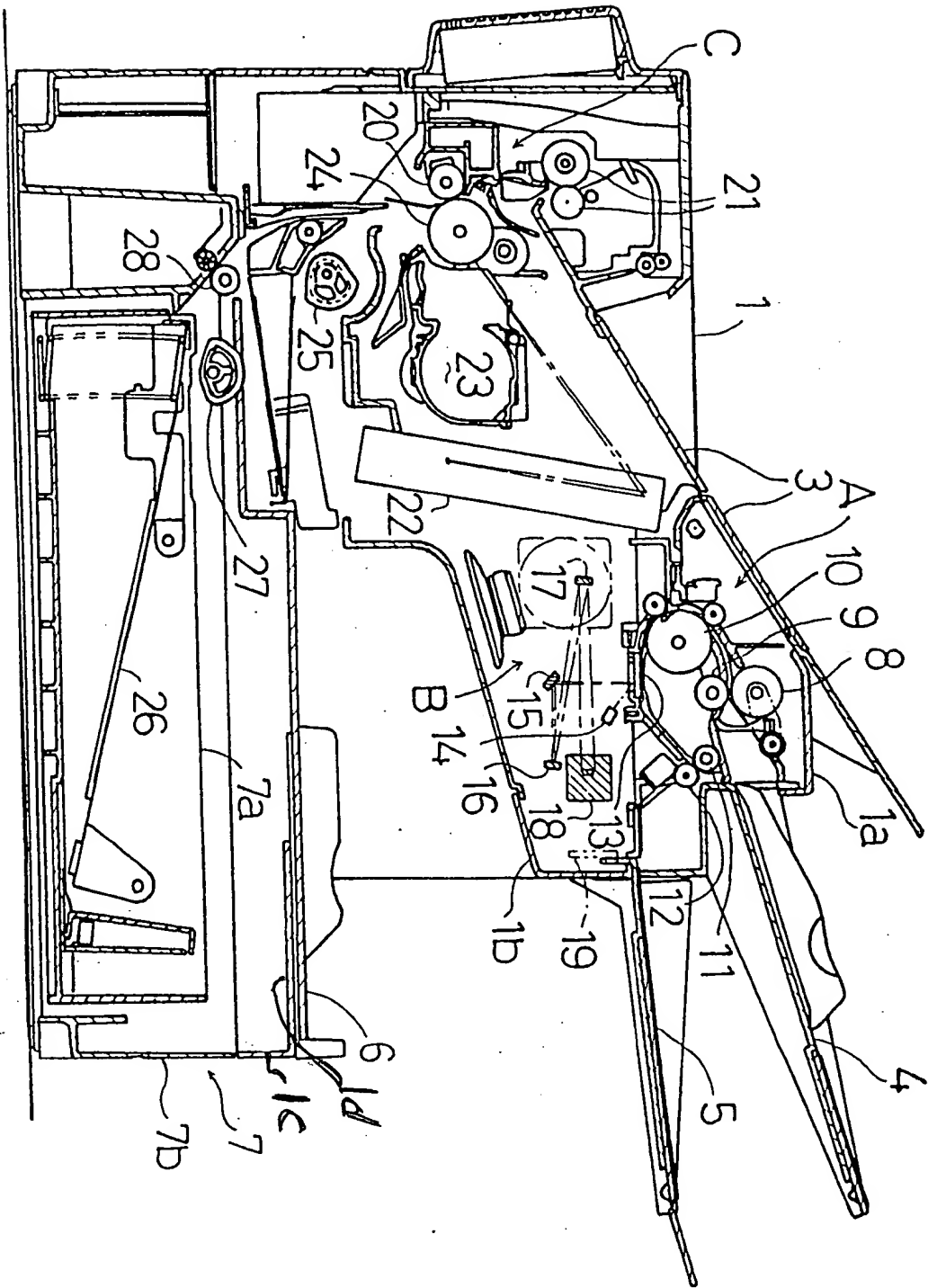


FIG. 3

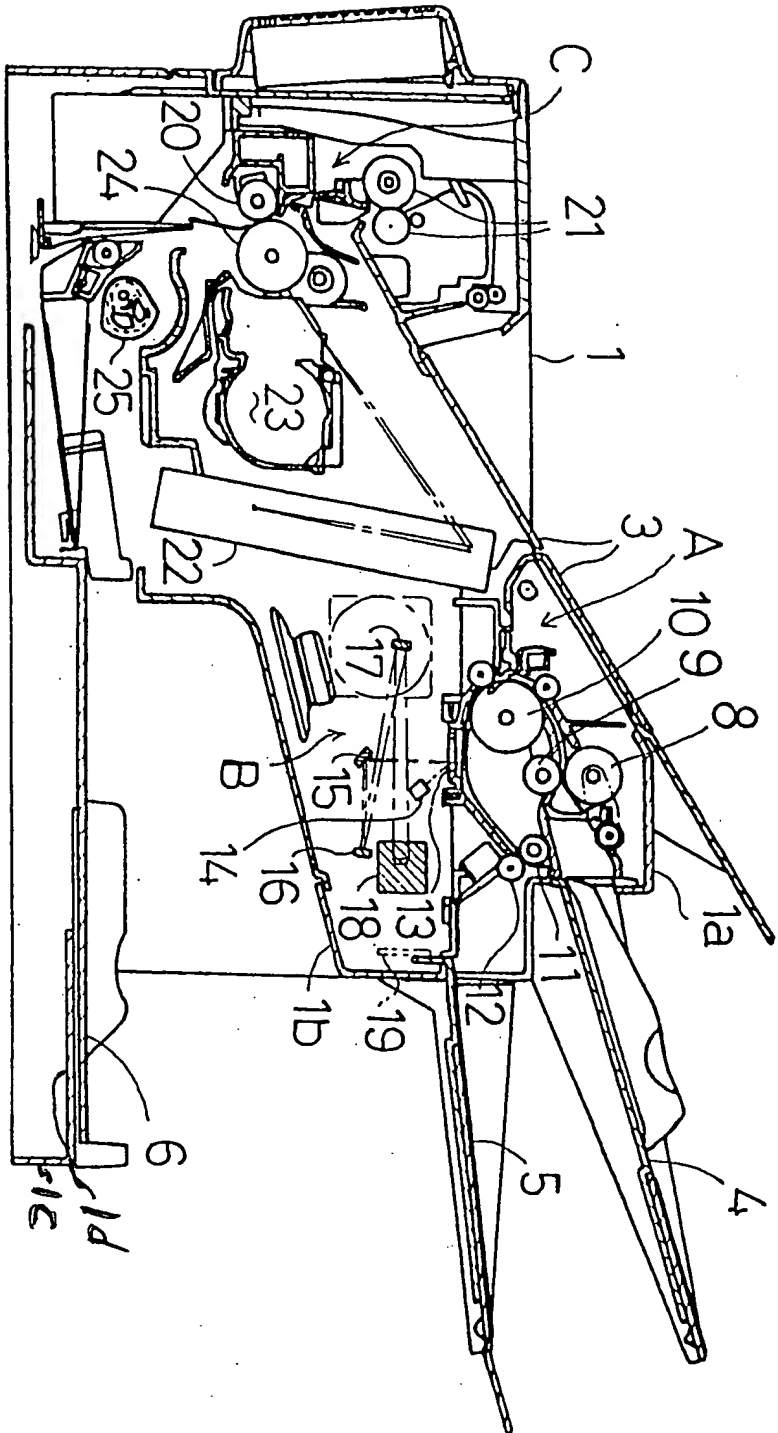


FIG. 4